The **Board of Examiners for Nursing** held a meeting on November 4, 2009 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut

**BOARD MEMBERS PRESENT:** Patricia Bouffard, RN, Chair

Mary M. Brown, RN Amanda Campbell, RN Heidi Darling, LPN

Veronica Kivela, Public Member

Jennifer Long, APRN Katherine Pellerin, RN Maria Pietrantuono, RN Donna Roberts, LPN

Kathy K. Shea, Public Member

**BOARD MEMBERS ABSENT:** Ivelisse Varrone, Public Member

**ALSO PRESENT:** Jennifer Filippone, Section Chief, DPH

Kathleen Boulware, Public Health Services Manager, DPH Diane Cybulski, Supervising Nurse Consultant, DPH

Matthew Antonetti, Staff Attorney, DPH Linda Fazzina, Staff Attorney, DPH

Stacy Owens, Staff Attorney, Public Health Hearing Office, DPH

Ellen M. Shanley, Staff Attorney, Legal Office, DPH Diane Wilan, Staff Attorney, Legal Office, DPH

Jeffrey A. Kardys, Administrative Hearings Specialist, DPH

Janice E. Wojick, Administrative Assistant, DPH

Tynan E. Cooney, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:37 AM.

### **STUDENTS**

Chair Bouffard welcomed students from Norwich Tech LPN Program and Yale School of Nursing.

Chair Bouffard and Katherine Pellerin provided the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs.

## **CHAIR UPDATES**

Chair Bouffard and Kathleen Boulware presented at the CNA Convention on the role of the Board Katherine Pellerin will do a presentation to the Henry Abbott Tech LPN students on the role of the Board.

### OPEN FORUM

No response from the audience

### LEGISLATIVE UPDATE

Jennifer Filippone updated the Board on the work of the Legislative Committees.

#### SCHOOL ISSUES - YALE SCHOOL OF NURSING FIVE-YEAR SURVEY REPORT

Dr. Margaret Grey, Dean of the Nursing Program at Yale School of Nursing, and Barbara Guthrie, Associate Dean, were both present for this report. The Board was apprised that the program has received full CCNE accreditation for ten years and will forward written documentation to Pam Pelletier upon receipt. Diane Cybulski provided the Board with Pam Pelletier's report as Ms. Pelletier was unable to attend today's meeting. Katherine Pellerin moved and Maria Pietrantuono seconded to accept Yale's self-study report as written. The motion passed unanimously. Amanda Campbell wanted to thank Ms. Pelletier for her outline which was most helpful to the Board when reviewing this report.

## SCHOOL ISSUES - LINCOLN TECH - FEASIBILITY STUDY

Jo-Ann Dean, Regional LPN Director, and Craig Avery, Vice President, were present for this discussion regarding the Feasibility Study for their Suffield Campus. The Board reviewed the report and stated the report has not demonstrated a need for an LPN Program in the Suffield area. The report failed to demonstrate that students would get a job without moving out of the area. In reviewing the report the Board stated that there were too many holes and too many unanswered questions. The geographic report did not provide a need for this type of program in the Suffield area. Mary Brown moved to reject the Feasibility Study as presented. The Board stated that they need more data. The motion was seconded by Katherine Pellerin and passed unanimously.

## SCHOOL ISSUES - CT COMMUNITY COLLEGE NURSING PROGRAM

The Board received notification from Linda Perfetto that her title at the Connecticut Community College System has been changed to more accurately reflect her duties. Ms. Perfetto's new title is Director of System Nursing Curricular Operations.

### SCHOOL ISSUES - CT TECHNICAL HIGH SCHOOL CHANGES IN DEPARTMENT HEADS

The Board reviewed documentation from Patricia Fennessy regarding changes in Department Heads within the LPN Programs of the CT Technical High School System. Patricia Fennessy was present for this discussion and provided the Board with an explanation as to why they did not receive the information prior to the appointments.

Connie Gibeault is the new Department Head at Windham Technical High School. Katherine Pellerin moved and Jennifer Long seconded to approve Ms. Gibeault's credentials. The motion passed unanimously.

Donna McBrien is the new Department Head at Vinal Technical High School. Maria Pietrantuono moved and Mary Brown seconded to approve Ms. McBrien's credentials. The motion passed unanimously.

Audrey Szczesiul is the new Department Head at Howell Cheney Technical High School. Maria Pietrantuono moved and Donna Roberts seconded to approve Ms. Szczesiul's credentials. The motion passed unanimously.

The Board wishes the new Department Heads success in their endeavors.

#### SCHOOL ISSUES - CT TECHNICAL HIGH SCHOOL SITE VISITS RE: LOCATION CHANGES

- A.I. Prince's on-site visit to survey renovated building took place on October 1, 2009. The entire area and equipment available makes this school conducive to learning. Amanda Campbell moved and Mary Brown seconded to accept the site visit report. The motion passed unanimously.
- W. F. Kaynor's on-site visit to survey renovated building took place on October 1, 2009. As stated above in the A. I. Prince report, the entire area and equipment available makes this school conducive to learning. Katherine Pellerin moved and Heidi Darling seconded to accept the site visit report. The motion passed unanimously.

The Bullard-Havens on-site visit took place on October 1, 2009 upon notification that the J. M. Wright Technical School closed and that the J. M. Wright LPN Program had merged with Bullard-Havens LPN Program in order to allow students to complete the program in January 2010. Bullard-Havens was inspected to ensure that students who transferred from the J. M. Wright Program were appropriately provided space, facilities, and faculty as outlined in the regulations. The transition process went well and was completed at the time of the on-site visit. Donna Roberts moved and Heidi Darling seconded to accept this site visit report. The motion passed unanimously.

### SCHOOL ISSUES - NCLEX SCORES RN & LPN

Diane Cybulski reviewed the Third Quarter NCLEX results with the Board. The program scores for the 2009 Third Quarter were in compliance with the percentile for a passing grade as stated in the regulations. Some programs were borderline passing and the Board will watch for the results from the next quarter.

# LICENSURE PACKETS IN CASE FILE EXHIBITS

Kathleen Boulware was present to provide the Board a draft of the summary of the individual licensee's licensure packet that will be summarized on the "cover" page of the discipline packets provided to the Board. The Board unanimously approved the draft cover page as was presented.

## SCOPE OF PRACTICE - H1N1 PROTOCOL RE: NURSING CLINICAL SITES

Patricia Fennessy was present from the CT Technical High School System to share with the Board discussions that have taken place with the LPN Department Heads within the CT Technical High School System.

### NATIONAL COUNCIL OF STATE BOARDS OF NURSING UPDATE

Chair Bouffard had no updates regarding the National Council.

## MEMORANDA OF DECISION

Janice E. Wojick presented to the Board the following Memoranda of Decision which they received via e-mail prior to the meeting.

### KIMBERLEY BURROWS, RN

Maria Pietrantuono moved and Katherine Pellerin seconded to affirm the Board's prior decision to revoke Ms. Burrows' license. The motion passed with all in favor.

## LAURIE WOODSTOCK, RN

Katherine Pellerin moved and Jennifer Long seconded to affirm the Board's prior decision to extend Ms. Woodstock's probation for six months. The motion passed with all in favor.

On August 19, 2009 a Motion for Summary Suspension was ordered and signed by the Board of Examiners for Nursing suspending Ms. Woodstock's Registered Nurse license until the issuance of the pending Memorandum of Decision from the September 2, 2009 hearing before the Board. Ms. Woodstock's license remains summarily suspended.

Break 10:10 AM - 10:23 AM

#### MOTION FOR SUMMARY SUSPENSION - JESSICA D. VITALE, RN

Legal Office Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Jessica Vitale. Ms. Vitale was present without representation at this meeting. Katherine Pellerin moved and Amanda Campbell seconded to deny the Motion for Summary Suspension. The motion passed unanimously. Chair Bouffard signed the Notice of Hearing scheduling the hearing for January 17, 2010. It was the recommendation of the Board that the Department withdraw the charges.

### MOTION FOR SUMMARY SUSPENSION - JENNIFER PECCERILLO, RN

Legal Office Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Jennifer Peccerillo. Ms. Peccerillo was not present and did not have representation at this meeting. Mary Brown moved and Amanda Campbell seconded to grant the Motion for Summary Suspension. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for November 18, 2009.

# MOTION FOR SUMMARY SUSPENSION - PETER DAWBER, RN, TEMPORARY PERMIT

Legal Office Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Peter Dawber. Mr. Dawber was not present and did not have representation at this meeting. Katherine Pellerin moved and Maria Pietrantuono seconded to grant the Motion for Summary Suspension. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for November 18, 2009.

### CONSENT ORDER - RHONDA TROTIER, LPN

Legal Office Attorney Linda Fazzina presented the Board with a Consent Order for Rhonda Trotier. Ms. Trotier was present with counsel, Attorney Len Horvath. Mary Brown moved and Amanda Campbell seconded to accept the Consent Order as written. The motion passed unanimously. Chair Bouffard signed the Consent Order.

# <u>HEARING – JENIFER FRANCESCHI-BAXTER, RN</u>

Legal Office Attorney Ellen M. Shanley was present representing the Department of Public Health. Ms. Franceschi-Baxter was not present and did not have representation at this meeting.

Maria Pietrantuono moved and Katherine Pellerin seconded to find Ms. Franceschi-Baxter on all charges. There was no Answer to the Statement of Charges filed therefore the Motion to Deem Charges Admitted was granted. The motion passed unanimously.

Maria Pietrantuono moved and Donna Roberts seconded to revoke Ms. Franceschi-Baxter's license. Veronica Kivela, Donna Roberts, and Maria Pietrantuono voted in favor of revocation while all others were opposed. The motion failed.

A new motion was raised by Katherine Pellerin, seconded by Amanda Campbell, to place Ms. Franbceschi-Baxter's license on suspension for six months with concurrent probation for two years, reprimand, with monthly employer reports and no agency or pool work during the entire probationary period. During the first six months of probation/suspension a civil penalty in the amount of \$1,000.00 must be paid and the Respondent is to successfully complete courses in medication administration, nursing scope of practice, and nursing ethics. The motion passed unanimously.

# **ADJOURNMENT**

It was unanimous decision of the Board that this meeting be adjourned at 11:38 AM.

The **Board of Examiners for Nursing** held a meeting on November 18, 2009 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut

**BOARD MEMBERS PRESENT:** Patricia Bouffard, RN, Chair

Mary M. Brown, RN Amanda Campbell, RN Heidi Darling, LPN

Veronica Kivela, Public Member

Jennifer Long, APRN Katherine Pellerin, RN Maria Pietrantuono, RN Donna Roberts, LPN

Kathy K. Shea, Public Member

**BOARD MEMBERS ABSENT:** Ivelisse Varrone, Public Member

**ALSO PRESENT:** Stacy Owens, Staff Attorney, Public Health Hearing Office, DPH

Diane Cybulski, Supervising Nurse Consultant, DPH

Pamela Pelletier, Nurse Consultant, DPH Gary Griffin, Investigations Supervisor, DPH

Matthew Antonetti, Staff Attorney, Legal Office, DPH Linda Fazzina, Staff Attorney, Legal Office, DPH Olinda Morales, Staff Attorney, Legal Office, DPH Leslie Scoville, Staff Attorney, Legal Office, DPH Ellen M. Shanley, Staff Attorney, Legal Office, DPH David Tilles, Staff Attorney, Legal Office, DPH Diane Wilan, Staff Attorney, Legal Office, DPH

Jeffrey A. Kardys, Administrative Hearings Specialist, DPH

Janice E. Wojick, Administrative Assistant, DPH

Tynan E. Cooney, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:28 AM.

### **STUDENTS**

Chair Bouffard welcomed students from Windham Tech and Vinal Tech LPN Programs, the University of Hartford, UConn, and Goodwin Technical School.

Chair Bouffard provided the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs.

### MOTION FOR SUMMARY SUSPENSION - MICHELE WHEELER, RN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Wheeler was not present and did not have representation at this meeting. Maria Pietrantuono moved and Amanda Campbell seconded to grant the Motion for Summary Suspension. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 2, 2009.

#### MOTION FOR SUMMARY SUSPENSION - MARK POWER, LPN

Legal Office Attorney Ellen M. Shanley was present representing the Department of Public Health. Mr. Power was not present and did not have representation at this meeting. Mary Brown moved and Maria Pietrantuono seconded to grant the Motion for Summary Suspension. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 2, 2009.

### CONSENT ORDER - ALLYSON ALLEN, LPN

Legal Office Attorney Ellen M. Shanley was present representing the Department of Public Health. Ms. Allen was not present and did not have representation at this meeting. Amanda Campbell moved and Veronica Kivela seconded to accept the Consent Order. The motion passed unanimously. Chair Bouffard signed the Consent Order.

### CONSENT ORDER - JANICE THIEDE, RN

Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Thiede was not present nor was her counsel, Attorney Costello, present at this meeting. Maria Pietrantuono moved and Jennifer Long seconded to accept the Consent Order as written. The motion passed unanimously. Chair Bouffard signed the Consent Order.

## CONSENT ORDER - CHERYL DUBOVIK, LPN

Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Dubovik was not present and did not have representation at this meeting. Amanda Campbell moved and Jennifer Long seconded to accept the Consent Order as written. The motion passed unanimously. Chair Bouffard signed the Consent Order.

## CONSENT ORDER - ARLENE DUMAIS, APRN

Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Dumais was not present and did not have representation at this meeting. Jennifer Long moved and Heidi Darling seconded to accept the Consent Order as written. The motion passed unanimously. Chair Bouffard signed the Consent Order.

## MOTION TO WITHDRAW STATEMENT OF CHARGES - JESSICA D. VITALE, RN

Leslie Scoville presented the Board with a Motion to Withdraw the Statement of Charges for Jessica Vitale. Ms. Vitale was not present and did not have representation at this meeting. Mary Brown moved and Jennifer Long seconded to grant this motion. The motion passed unanimously.

## HEARING - BRYAN SHERMAN, LPN

Legal Office Attorney Leslie Scoville was present representing the Department of Public Health. Mr. Sherman was present pro se. Testimony was provided by Pam Pelletier, Department of Public Health, and Jennifer Carnovale, Nursing Home Administrator at Kettle Brook.

Amanda Campbell moved and Heidi Darling seconded that Mr. Sherman be found on paragraphs 1, 2, 3, 4 but not found on paragraph 5. Amanda Campbell, Jennifer Long, and Heidi Darling were in favor, Kathy Shea abstained, and all others were opposed. The motion failed.

A new motion was raised by Maria Pietrantuono and seconded by Donna Roberts to find Mr. Sherman on all charges. All were in favor with the exception of Amanda Campbell, Jennifer Long, and Heidi Darling who were opposed and Kathy Shea who abstained. The motion carried.

Maria Pietrantuono moved and Donna Roberts seconded that Mr. Sherman's license be placed on probation for one year with employer reports every two months and a course in medication administration and a course related to medication administration to geriatric patients. Coursework is to be completed within the first six months of probation. The motion passed with all in favor with the exception of Heidi Darling who was opposed and Kathy Shea who abstained.

Break 11:28 AM - 11:35 AM

### HEARING - PETER DAWBER, RN-TEMPORARY PERMIT

Legal Office Attorney Matthew Antonetti was present representing the Department of Public Health. Mr. Dawber was not present and did not have representation at this Hearing. There was no testimony provided.

Maria Pietrantuono moved and Amanda Campbell seconded that Mr. Dawber be found on all charges. The motion passed unanimously.

Maria Pietrantuono moved and Mary Brown seconded to revoke Mr. Dawber's license. The motion passed unanimously.

### HEARING - KOKUMO LAURAY, LPN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Lauray was present pro se. Testimony was provided by Gary Griffin, DPH Investigations Supervisor.

Jennifer Long moved and Amanda Campbell seconded that Ms. Lauray be found on Count Three of the charges only and not found on Counts 1 & 2. The motion passed unanimously.

Jennifer Long moved and Amanda Campbell seconded that Ms. Lauray's license be revoked. The motion passed unanimously.

Lunch 1:15 PM - 1:45 PM

# HEARING - SARA CANFIELD-HORNIG, RN

Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Canfield-Hornig was not present and did not have representation at this meeting. There was no testimony provided.

Donna Roberts moved and Amanda Campbell seconded that Ms. Canfield-Hornig be found on all charges. The motion passed unanimously.

Donna Roberts moved and Jennifer Long seconded that Ms. Canfield-Hornig's license be revoked. The motion passed unanimously.

#### **ADJOURNMENT**

It was the unanimous decision of the Board Members present that this meeting be adjourned at 2:15 PM.